

SENATE.

SATURDAY, November 22, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, November 22, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

The Journal of the proceedings of Thursday last was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer:

S. 2779. An act to authorize the transfer of a steel bridge over the Snake River between Lewiston, Idaho, and Clarkston, Wash., to the States of Idaho and Washington, or local subdivisions thereof; and

S. 3397. An act to amend section 2324 of the Revised Statutes of the United States, relating to mining claims.

PETITIONS.

Mr. SHIVELY presented resolutions adopted by Elmer Post, No. 37, Department of Indiana, Grand Army of the Republic, of Elkhart, Ind., praying for the enactment of legislation granting a pension of \$1 per day to all surviving soldiers of the Civil War, which were referred to the Committee on Pensions.

Mr. WEEKS presented petitions of the Ladies' Benevolent Society of the Second Congregational Church of Palmer; of the Missionary Society of the First Highland Baptist Church, of Springfield; and of the congregation of the First Congregational Church of Westfield, all in the State of Massachusetts, praying for the passage of the so-called antipolygamy bill, which were referred to the Committee on the Judiciary.

Mr. BURTON presented a petition of sundry citizens of Ohio, praying for the adoption of certain amendments to the pending banking and currency bill, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Ohio, praying for the enactment of legislation providing an international suspension of naval construction, which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Ohio, praying for the enactment of legislation granting pensions to the members of the United States Military Telegraph Corps of the Civil War, which was referred to the Committee on Pensions.

CHEROKEE FREEDMEN (S. DOC. NO. 239).

Mr. CLAPP. I present a memorial of the Cherokee freedmen and ask that it be printed in the RECORD and also printed as a Senate document, and that it be referred to the Committee on Indian Affairs.

I desire to say that this memorial goes to the question of the right of enrollment, and that I may not be misunderstood I will state that I am not in favor of any general opening of the rolls; but if there are individual cases where it shall be ascertained that injustice has been done I believe they should be corrected.

I should like to ask consent of the Senate that this personal statement may appear in connection with the memorial printed in the RECORD and also as a document.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent to have the memorial he has presented printed in the RECORD and also as a document.

Mr. BACON. I should like to inquire of the Senator before that order is made what the memorial is.

Mr. CLAPP. It is a memorial of Cherokee freedmen setting forth that there are cases where injustice has been done with reference to closing the rolls and leaving them off the rolls.

Mr. BACON. How long is the memorial?

Mr. CLAPP. About three pages.

Mr. BACON. I wish to say in reference to this memorial, that my position as to the printing of other memorials may not

be misunderstood, I recognize that this is probably something a little out of the ordinary and relates to a subject that may be entitled to a little more consideration than is usually the case.

Mr. CLAPP. Unquestionably. I think it is an exceptional case, and therefore I have made the request.

Mr. BACON. I understand, furthermore, it has reference to immediate legislation.

Mr. CLAPP. Yes, sir.

There being no objection, the memorial was ordered to be printed as a document and referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

MEMORIAL OF THE CHEROKEE FREEDMEN.

To the Congress of the United States:

We, the undersigned, representing the Cherokee freedmen who have been wrongfully excluded from the final rolls of the Cherokee Nation of Oklahoma, do hereby memorialize Congress to enact legislation which will protect us in the rights guaranteed us under treaties between the United States and said nation, under the laws of Congress, and the rules and regulations of the Interior Department, and the decisions of the courts.

By the act of Congress of June 10, 1896 (the Indian appropriation bill), the rolls of citizenship of the several tribes, as they then existed, were confirmed, yet a number of our people whose names appear upon the various rolls have been denied their rights. (See *Whitnire v. The United States and the Cherokee Nation*, decided by the Court of Claims Mar. 29, 1909, and Feb. 20, 1911.)

Under the act of June 23, 1898, the Commission to the Five Tribes was directed as follows:

"It shall make a roll of Cherokee freedmen in strict compliance with the decree of the Court of Claims rendered the 3d day of February, 1896."

This direction was plain and simple, yet it was not obeyed. The court in this opinion clearly set out the rights of the Cherokee freedmen, and we call your attention to the following extract:

"Said commissioners, in ascertaining the identity of the freedmen entitled to share under this decree, shall accept what is known as the authenticated Cherokee roll, the same being on file in the office of the Secretary of the Interior, having been furnished to him, and purporting to have been taken by the Cherokee Nation in 1880, for the purpose of showing the number of freedmen entitled at that time to citizenship in said nation * * * and their descendants."

The Secretary of the Interior in his letter of instructions told the commission what it should do, and had the commission followed the law and his instructions there would have been no trouble, but the commission did neither. He informed them that—

"The roll of 1880 made by the Cherokee Nation is to be accepted by you as conclusive of the rights of all persons whose names are found thereon and of their descendants to be enrolled by you; * * * no evidence was to be accepted tending to disprove the citizenship of any person whose name was upon the roll of 1880."

Notwithstanding the decree of the court and the strong language of the Secretary, the commission did fail and neglect to properly place upon the final roll the names of a number of freedmen who were on the 1880 roll. Many of the freedmen whose names were on that roll and their descendants have been and still are wrongfully denied membership in said nation, and they will lose their valuable rights unless some action is taken by Congress. There can be no reasonable excuse offered for the neglect of the Commission to the Five Tribes, for it was fully instructed what to do in regard to the Cherokee freedmen. (Please read letter of Secretary in his report of 1902, p. 124.)

Many of the people have lived in the Cherokee Nation all their lives, some of them have occupied and cultivated the same tract of land for from 30 to 40 years, and some were permitted to make tentative selections. They have raised stock and crops, built houses and barns, have developed the agricultural wealth of the Cherokee country. They have voted, held office, and exercised all the rights of citizenship. They applied for enrollment within the time fixed by law. All of them have been enrolled once as citizens and many of them twice by the Government, and these rolls have been approved by the Secretary of the Interior, and many of them, at various payments, were paid as members of the Cherokee Nation of Indians.

The act of Congress provided for the removal of intruders; none of these freedmen were disturbed.

Under the act of June 23, 1898, authority was given to the chief or to any member of the tribe to bring suits against any person holding wrongful possession of lands in the Cherokee country, yet no action was brought against any of your petitioners. Under the act of 1902 the Secretary was to cause allottees to be placed in possession, but the Secretary did not remove the freedmen claimants. This shows how they were regarded before the final rolls were made up and before they were wrongfully left off of the final rolls, which will deprive them of their interest in the tribal property, and they will be driven from the homes they have occupied for years, and others will be deprived from making their rightful selections.

By reason of valuable oil and gas deposits in the lands, which by rights belong to your petitioners, the same—worth many millions of dollars—we will lose, also be deprived of other property and our homes if Congress does not give us relief.

We are satisfied that the records of the Interior Department cover all the facts, and that the questions involved could be settled fairly and justly within a very short time.

We therefore pray Congress to give us a chance to present our cases to a committee of Congress, to any court, or to the Secretary of the Interior. We know that we can establish our rights, and we are only asking for just and fair treatment.

Hoping that our memorial will be printed in the CONGRESSIONAL RECORD, printed as a document, and referred to the Committee on Indian Affairs, and that an act of Congress will be passed which will give us an opportunity to present our cases,

We are, respectfully,

JACOB B. WILSON, President.
NELSON GRUBBS, Secretary.

SUSPENSION OF NAVAL CONSTRUCTION.

Mr. POMERENE. Mr. President, I have before me the preamble and resolutions adopted by the Cincinnati Chamber of Commerce and Merchants' Exchange on the subject of the sus-

pension of naval construction in harmony with the declaration of the Lord of the Admiralty of Great Britain, the Right Hon. Winston Churchill. I ask that the resolutions be printed in the RECORD and referred to the Committee on Naval Affairs.

There being no objection, the resolutions were referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

CINCINNATI CHAMBER OF COMMERCE AND
MERCHANTS' EXCHANGE.

Resolutions adopted by the board of directors November 18, 1913.

Whereas the following resolution (H. Res. 298) has been introduced in the United States Congress:

Resolved, That in the opinion of the House of Representatives the declaration of the Lord of the Admiralty of Great Britain, the Right Hon. Winston Churchill, that the Government of the United Kingdom is willing and ready to cooperate with other Governments to secure for one year a suspension of naval-construction programs, offers the means of immediately lessening the enormous burdens of the people and avoiding the waste of investment in war material.

Resolved, That a copy of this resolution be furnished the President, with the request that so far as he can do so, having due regard for the interests of the United States, he use his influence to consummate the agreement suggested by the Right Hon. Winston Churchill: Therefore

Resolved by the board of directors of the Cincinnati Chamber of Commerce, That we heartily approve the above resolution, and the secretary is hereby instructed to send copies of the action of this body to the President of the United States, the Senators from Ohio, and to Representatives ALLEN and BOWDLE.

W. C. CULKINS,
Executive Secretary.

KEOKUK DAM CO. AND NORTH AMERICAN CO.

Mr. POINDEXTER. I present resolutions adopted by the Progressive Party Club of St. Louis, Mo., which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

Mr. SMOOT. I did not hear the request of the Senator from Washington.

The PRESIDING OFFICER. The Secretary will state what the petition is.

The SECRETARY. Resolutions adopted by the Progressive Party Club of St. Louis, Mo., favoring the investigation of certain charges pertaining to the Keokuk Dam Co. and North American Co. and the securing of legislation that will adjust all differences between consumer and producer of hydroelectric products now being generated by use of Government waters throughout the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the resolutions were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

ST. LOUIS, MO., November 10, 1913.

"To the Members of the Sixty-third Congress of the United States:

"Whereas The Keokuk Dam Co., a public-service corporation, controlled by Stone & Webster, of Boston, holds a franchise from the United States Government for the generating and sale of hydroelectric current at Keokuk, Iowa; and

"Whereas in a pamphlet issued by said company previous to beginning the operation of its plant it is stated that the current 'will be sold much cheaper than steam power costs'; and

"Whereas the same pamphlet goes on to say: 'That it is well known that only 10 to 15 per cent of the energy in coal comes out on the shaft of the steam engine. But, on the other hand, over three-quarters of the energy of the moving water of the Mississippi River is delivered over the transmission wires to St. Louis, over a hundred miles away.' 'And that right here is where water power scorns the competition of steam power, even in the fields of cheapest coal'; and

"Whereas, notwithstanding these assertions of the pamphlet leading the public to believe they were to have cheaper light and power, it has been openly charged by some of the St. Louis press that the hydroelectric current is no cheaper, but on the contrary has been contracted for by the Union Electric Co., through the North American Co., a distributing company of St. Louis, for a period of 99 years, based on the cost of coal; and

"Whereas it has been stated that the Keokuk Dam Co. has entered into an agreement with the said North American Co., a distributing company of St. Louis, not to sell its product to anyone else within a 30-mile radius of St. Louis, and, further, that by this agreement and arrangement the Keokuk Dam Co. enters into collusion with the North American Co. to deliver its current not into St. Louis, but to a point 10 miles or more distant, and from which point the North American Co., converting a part of its double or, rather, its treble self into what is styled the distributing company, is enabled to convey the current over a 10-mile line to the utilities companies of which it is the owner and at an additional cost of 50 per cent over the price netted by the Keokuk Co.; and

"Whereas the reason alleged for this is to furnish a subterfuge for basing the price of hydroelectric current on the cost of coal; and

"Whereas Congress, having granted a charter to the Keokuk Dam Co. for the use of the Mississippi River to manufacture electricity, then that body unquestionably has power to protect the public from gross imposition by regulating the distribution and sale of the company's product; and

"Whereas that within the power of Congress to conserve and control natural resources and to grant the privileges of utilizing them also lies the power to compel an equitable treatment of consumers or to amend or repeal the charter of the holding company; and

"Whereas the Keokuk electric plant is a public utility using public property for a public service; and

"Whereas if these allegations be true, then and therefore be it

"Resolved by the Progressive Party Club of the city of St. Louis, representing the Progressives of the tenth, eleventh, and twelfth congressional districts of Missouri, That the Keokuk Dam Co. and the North American Co. are violating a moral obligation, betraying a public trust, and usurping the God-given rights of the people by organizing subsidiary companies, or so-called distributing companies, through which to not only practice extortion, but to create and foist upon the people of St. Louis and vicinity another unholy and unjust arbitrary; and, furthermore, that by entering into an agreement or alliance to exclude others within a 30-mile radius of St. Louis from using the Keokuk Dam they directly enter into an agreement which constitutes a most flagrant violation of the Sherman Antitrust Act and a glaring and shameful example of two corporations entering into an agreement for the direct restraint of trade: Therefore be it

"Resolved, That we appeal to Congress, and especially to the Progressives and progressive Members of all parties, to not only investigate the foregoing charges pertaining to the Keokuk Dam Co. and the North American Co., but to endeavor to secure as speedily as possible such legislation as will adequately adjust all differences between consumer and producer of hydroelectric products now being generated by use of Government waters throughout the United States; and, furthermore, to guard zealously any and all pending concessions, to the effect that these national resources, though developed by private capital, may be conserved as consistently as possible for the Government and the people to which and to whom they wholly and solely belong; and be it further

"Resolved, That copies of these resolutions be forwarded to Hon. MILES POINDEXTER and Hon. VICTOR MURDOCK, to present the same to the Senate and House of Representatives of the United States."

The foregoing resolutions were unanimously adopted at a regular meeting of the Progressive Party Club of St. Louis this 10th day of November, 1913.

W. J. LONGBOTHAM, President.
EUGENE A. VOGL, Secretary.

REPORTS OF COMMITTEE ON FINANCE.

Mr. WILLIAMS, from the Committee on Finance, to which was referred the bill (H. R. 1967) regulating the manufacture of smoking opium within the United States, and for other purposes, reported it with an amendment and submitted a report (No. 130) thereon.

He also, from the same committee, to which was referred the bill (H. R. 1966) to amend an act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909, reported it with amendments and submitted a report (No. 132) thereon.

BANKING AND CURRENCY.

Mr. OWEN. Mr. President, I have the honor to report from the Committee on Banking and Currency the bill (H. R. 7837) to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes, and I submit a formal written report (No. 133) thereon. I ask to have printed as appendices to the report views of the two sections of the committee.

The PRESIDING OFFICER. The Senator from Oklahoma, in behalf of the Committee on Banking and Currency, or a portion of it, submits a report which he desires to have printed. What was the further request of the Senator from Oklahoma? The Chair did not catch it on account of the confusion in the Chamber. Will he please repeat it?

Mr. OWEN. The request was that the individual views of members of the Committee on Banking and Currency be printed as appendices to the report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HITCHCOCK. Before that request is granted I should like to inquire whether the Senator means by the views of the individual members of the committee the views signed by the two sections of the committee?

Mr. OWEN. Certainly.

Mr. HITCHCOCK. I should like to request, in addition to what is requested by the chairman of the committee, that the views and reports of facts submitted by the section of the committee of which I am a member, accompanied also by a print of the bill as we propose to amend it, be printed separately, and that of this print 25,000 copies be printed.

Mr. OWEN. I have no objection to the request of the Senator and to have it printed separately. That is what I understand he would prefer.

Mr. HITCHCOCK. I should like to inquire of the Senator from Oklahoma how many copies of this joint publication he proposes to have printed?

Mr. OWEN. I had not intended to ask for any more than the usual number—a thousand copies for the use of the Senate document room—unless there should appear to be some urgent demand. In that case I thought the number might be enlarged when it proved to be necessary.

Mr. HITCHCOCK. In my judgment there will be a very large demand for both these reports with the accompanying bill, and it was my intention—it was the intention of the section of the committee which I represent—to print with our views the bill as we propose to amend it, so as to enable an intelligent opinion to be formed by the country.

Mr. OWEN. I intend to ask the consent of the Senate to have printed in parallel columns the House bill and the amendments proposed by the section of the committee in sympathy with my views, and also the amendments proposed by the Senator from Nebraska and those in sympathy with his views.

Mr. HITCHCOCK. I think that would be very desirable, providing, then, in addition to the request we make—

Mr. OWEN. I submitted my request, not knowing what the Senator from Nebraska might ask. I see no reason why the appendices might not be printed separately, and in that way the number desired by the Senator from Nebraska might easily be printed.

The PRESIDING OFFICER. The Chair would inquire whether, in consequence of the agreement between the Senator from Oklahoma and the Senator from Nebraska, the requests will be combined in one or are they to be submitted separately?

Mr. OWEN. I have no objection.

Mr. HITCHCOCK. I think it can be made one unanimous-consent agreement, embodying the requests made by the Senator from Oklahoma and myself.

Mr. OWEN. I should prefer to have the Senator from Nebraska make his own request.

Mr. HITCHCOCK. Then I will wait until the Senator submits his request.

Mr. OWEN. I will be glad if the Senator will permit me to do so. I see no reason why the first request I made should not be complied with, which is that the report of the committee returning the House bill to the Senate shall have printed with it the individual views of the two sections of the committee. I understand the Senator from Nebraska also prefers to have the views of his section of the committee printed as a separate pamphlet.

Mr. HITCHCOCK. Also.

Mr. OWEN. I agree to that. If that course be agreeable, then I will only ask that the report have attached to it the views of the individual members of the committee in accord with my own views, leaving as a separate pamphlet the views of the Senator from Nebraska and his section of the committee. Is that agreeable?

Mr. HITCHCOCK. Entirely.

Mr. OWEN. If that is agreeable, I—

Mr. BRISTOW. Mr. President, let me make a suggestion. I think it is desirable that the report as submitted by the Senator from Nebraska and the bill accompanying it be printed separately, and I also think it would be very desirable to have the bill which is reported back, the bill which is suggested by the Senator from Oklahoma and the bill suggested by the Senator from Nebraska, printed in parallel columns—the three bills.

Mr. OWEN. I had intended to make that request at the proper time.

Mr. BRISTOW. In addition to the individual reports, so that that print may be used by Senators.

Mr. OWEN. I had intended to make that request at the proper time. I simply wanted to dispose of one matter at a time.

Mr. SHAFROTH. Mr. President, I wish to suggest to the chairman of the committee and the Senator from Kansas that they should not be printed in three columns but in two, because each one of the bills presented here crosses out the part of the House bill intended to be cut out and consequently bears on its face a comparison with the House bill. Consequently the publication of the House bill as it passed would add nothing to the two columns, which I think are all that are necessary.

Mr. BURTON. Mr. President, it seems to me, for purposes of comparison and study of these bills, it would be best to have three parallel columns.

Mr. SMOOT. Certainly.

Mr. BURTON. Then we would have before us the three distinct propositions in the way of legislation. I hope the document proposed may be printed in that form.

Mr. NORRIS. If the Senator will allow me right there, I should like to suggest to him that each one of the sections of the committee, as I understand it, have as a basis the House bill, and if printed in two columns, the amendments being printed in italics and the text of the House bill being stricken through as it usually done, we would get the entire measure in print.

Mr. BURTON. I do not quite understand the form which that would take.

Mr. NORRIS. The Senator must recognize that in every bill which comes from the House and is reported from a committee with amendments the parts stricken out have a line run through them and the amendments are printed in italics. If that was done with the bills reported by the two sections, we would only need a column to know what either section proposed as amendments to the House bill.

Mr. BURTON. The proposition is to make the House bill the basis of the two?

Mr. NORRIS. Yes.

Mr. BURTON. And to print in italics the portions added, with the House bill as the basis?

Mr. NORRIS. Exactly. I think no matter which section of the committee one may wish to follow, he will want to compare their work with the House bill, and if printed in the usual form, by striking through the text that which is stricken out and printing the amendments in italics, we will be able to see at a glance when printed in two parallel columns, and we can compare not only the bill as reported by each section of the Banking and Currency Committee, but compare at the same time either one of those bills with the bill as passed by the House.

Mr. OWEN. I wish to suggest to the Senator from Nebraska [Mr. NORRIS] that that has already been done. The House bill will be printed with the amendments proposed by each section of the committee inserted in italics, and this print in three columns is to enable those who desire to see the three proposals side by side to do so without being compelled to sift it out for themselves.

Mr. NORRIS. I should like to suggest to the Senator from Oklahoma that I would not have any objection to its being printed in three columns instead of two if in the two instances where the different sections of the committee have reported their bills they have followed the usual form in a bill by which the amendments are put in italics and the text of the House bill stricken through.

Mr. OWEN. That will be done.

Mr. NORRIS. I am glad to hear that, but I do not see that there is any use in having a third column if that will be done. That will make the comparison complete.

Mr. CLARK of Wyoming. Mr. President, a parliamentary inquiry. Do I understand the request of the Senator from Oklahoma to be that these bills shall be printed as a part of the report of the committee?

Mr. OWEN. That they shall be printed as an appendix to the report of the committee.

Mr. CLARK of Wyoming. That is what I desired to inquire.

Mr. NELSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. OWEN. I yield to the Senator.

Mr. NELSON. It seems to me that the only way we can get a proper comparison of these bills is to have each bill—the bill reported by one section of the committee and the bill reported by the other section of the committee—printed in parallel columns, for the reason that we have not always made the same changes or eliminated the same portions of the Glass bill. If we have in one column the bill reported by the Senator from Oklahoma [Mr. OWEN], with his proposed amendments, and in another column the Glass bill, with the amendments reported by the Senator from Nebraska [Mr. HITCHCOCK] from his section of the committee, that will give the body of the Glass bill with the amendments proposed by each portion of the committee. That is the only way in which we can print them, it seems to me; so that there will be two columns, with each bill as reported by each section of the committee.

Mr. STONE. Mr. President, I should like to ask the Senator from Oklahoma a question.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Missouri?

Mr. OWEN. I yield.

Mr. STONE. I should like to ask the Senator from Oklahoma if every section of the House bill has been amended?

Mr. OWEN. No; not every section, but almost every section has been amended.

Mr. STONE. Is it not possible that some sections of the bill that neither section of the committee has amended might contain propositions that some Senator not on the committee would desire to have amended?

Mr. OWEN. Undoubtedly.

Mr. STONE. And in that view, it would seem to me better if the three propositions were printed in juxtaposition in parallel columns.

Mr. OWEN. I think, Mr. President, that it is of importance and of value to the Senate that they should have the three proposals in parallel columns, so that they can at a glance see exactly what they are and read them coherently, one by one.

Mr. SMOOT. May I inquire what the request of the Senator from Oklahoma is?

The PRESIDING OFFICER. The Chair will direct the Secretary to read it.

The Secretary read as follows:

Mr. OWEN asks that House bill 7837, together with the report thereon submitted by himself and Senators O'GORMAN, REED, POMERENE, SHAFROTH, and HOLLIS, together with the views of these Senators, attached as an appendix, be printed as a document.

Mr. CLARK of Wyoming. I do not understand that the Senators named make any report as indicated in the proposed agreement just read by the Secretary.

Mr. OWEN. The report is confined to returning the House bill to the Senate without recommendation.

Mr. CLARK of Wyoming. Exactly; and for that reason I call attention to the wording of the request as made by the Senator.

Mr. OWEN. The request as read at the desk is not aptly phrased. The request of the Senator from Oklahoma was that to the report of the committee returning the House bill without recommendation be added as an appendix the individual views of the members of the two sections of the committee.

Mr. CLARK of Wyoming. That is exactly as I understand it, and exactly as it was not read from the desk. I ask that the request be again read.

The PRESIDING OFFICER. The Secretary will again read the request in accordance with the correction made by the Senator from Oklahoma [Mr. OWEN].

The Secretary read as follows:

That to the report of the committee on House bill 7837, submitted without recommendation, there shall be attached the views of the chairman of the committee and Senators O'GORMAN, REED, POMERENE, SHAFROTH, and HOLLIS, and that, then, the same shall be printed as a Senate document.

Mr. CRAWFORD. Mr. President, I should like to have the attention of the Senator from Nebraska [Mr. HITCHCOCK] upon that point. It seems to me that the views of the members of the committee associated with the Senator from Nebraska ought also to be printed as an appendix to the main report that brings the bill back into the Senate, but as the request now comes from the Senator from Oklahoma [Mr. OWEN] the report of the committee would have attached to it only the views of the members associated with the chairman of the committee. It seems to me that to be a complete document it ought to contain the views of both sections of the committee.

Mr. OWEN. Mr. President, I understand that the Senator from Nebraska has withdrawn his objection to have the views of both sections of the committee attached to the report. In that event I know of no objection to the motion made by myself.

Mr. HITCHCOCK. I will say, Mr. President, that I do so with the understanding that, in addition to that, we may have 25,000 additional copies of our own views printed in connection with our bill.

Mr. SMOOT. I want to call the Senator's attention to the fact—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. OWEN. I do.

Mr. SMOOT. Before that agreement is reached I desire to call the Senator's attention to the fact that it would be impossible to print 25,000 copies of this document simply by an order of the Senate. The bill itself contains 78 pages. To print that amount of matter would cost \$37 a thousand. All that you could print within the \$500 limit would be about 13,000 copies of the bill, and if it is desired to have 25,000 copies printed it must be done by concurrent resolution of the two Houses.

Mr. HITCHCOCK. I call the attention of the Senator from Utah to the fact that it is not proposed to print the bill as it appears in the copy which he has before him, which occupies nearly one-half of the pamphlet, but it is proposed to omit all those portions stricken out, and only to print the bill as we propose to have it amended.

Mr. SMOOT. Then, Mr. President, as I understand, the request of the Senator is that there be printed 25,000 extra copies of the bill only that he and his associates have reported to the Senate.

Mr. STONE. Together with the report.

Mr. HITCHCOCK. No, Mr. President. I have reduced to writing the request which I make, and I send it to the Secretary's desk and ask to have it read.

Mr. SMOOT. That will be better.

The PRESIDING OFFICER. The Secretary will read the request of the Senator from Nebraska.

The Secretary read as follows:

Ordered, That there be printed 25,000 copies of the views and report of facts by Senators HITCHCOCK, NELSON, BRISTOW, CRAWFORD, WEEKS, and McLEAN, and following the same, in the same document, the bill as proposed to be amended by those Senators.

Mr. SMOOT. Mr. President, I will ask the Senator from Nebraska how long is the report or about how many printed pages will it contain?

Mr. HITCHCOCK. This typewritten copy [exhibiting], liberally spaced, contains 18½ pages. To meet the objection raised by the Senator from Utah that the cost of printing might perhaps exceed the \$500 limit, I will modify my request so as to provide at first for the printing of only 20,000 copies.

Mr. SMOOT. I was going to suggest that to the Senator. I want the Senator to understand that I have no objection to printing the number of copies he desires, and that it was only to keep within the law that I raised the point. If the Senator modifies his request and asks for the printing of 20,000 copies, I think that the cost of printing that number will come within the \$500 limit.

Mr. STONE. But suppose it does not come within the limit?

Mr. SMOOT. Then that number can not be printed, and the matter will have to come back to the Senate.

Mr. HITCHCOCK. I also desire to insert in my request the words "and in no case to exceed the \$500 limit."

Mr. BRISTOW. What is the use of that? Can not the Senate have the printing done which it needs?

Mr. SMOOT. It can up to \$500. When it exceeds that, it has to be done by a concurrent resolution of the two Houses. I think that, in view of the information which the Senator gives, 20,000 copies can be printed within the \$500 limit.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. OWEN], on behalf of one section of the Banking and Currency Committee, returns to the Senate House bill 7837 without recommendation and requests that the views of the two sections of the committee be printed as appendices to the report. Is there objection? In the absence of objection, it is so ordered.

Now, the Senator from Nebraska [Mr. HITCHCOCK] submits in writing an order, which will be read.

The Secretary read as follows:

Ordered, That there be printed approximately 20,000 copies of Senate Report No. 133, part 3, being the views and report of facts by Senators HITCHCOCK, NELSON, BRISTOW, CRAWFORD, WEEKS, and McLEAN, and following the same, in the same document, the bill as proposed to be amended by the Senators, such printing not to exceed the sum of \$500.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. OWEN. Mr. President, I send to the desk, as a separate proposition, an amendment which I propose to offer as a substitute to the House bill, and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The Senator from Oklahoma submits an amendment to the bill which he asks to have printed and lie on the table. In the absence of objection, it will be so ordered.

Mr. OWEN. I ask unanimous consent that the reported bill be printed, showing the changes proposed by the amendments suggested by myself and those Senators agreeing with me.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

Mr. SMOOT. Mr. President, I did not hear the request. Let it be again stated.

Mr. OWEN. I simply asked for a print of the bill as proposed to be amended by my section of the committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. OWEN. Mr. President, I ask that, within the \$500 limit of cost, copies of the report containing the individual views of the chairman of the Committee on Banking and Currency and the members agreeing with him be printed for the use of the Senate document room.

There being no objection, the order was agreed to and reduced to writing, as follows:

Ordered, That as many copies as may be furnished for \$500 of the Report No. 133, part 2, containing the individual views of the chairman of the Committee on Banking and Currency and the members agreeing with him on H. R. 7837, "To provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," be printed for the use of the Senate document room.

Mr. OWEN. Mr. President, I desire to ask unanimous consent to have printed as a Senate document the House bill as proposed to be amended by myself and those Senators agreeing

with me, and also as proposed to be amended by the Senator from Nebraska [Mr. HITCHCOCK] and the Senators agreeing with him, so that they will appear in parallel columns. (S. Doc. No. 240.)

There being no objection, the order was agreed to and reduced to writing, as follows:

Ordered, That the bill H. R. 7837, "An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," as proposed to be amended by Mr. OWEN and the Senators acting with him, and in opposite column the same bill as proposed to be amended by Mr. HITCHCOCK and the Senators acting with him, be printed as a Senate document.

ELECTION OF SENATORS.

Mr. WALSH. I am directed by the Committee on Privileges and Elections, to which was referred the bill (S. 2860) providing a temporary method of conducting the nomination and election of United States Senators, introduced by the Senator from Washington [Mr. POINDEXTER], to report it with an amendment in the nature of a substitute, and I submit a report (No. 131) thereon.

Mr. GALLINGER. Mr. President, I will ask the Senator if he has submitted a written report on the bill?

Mr. WALSH. The committee submit a written report.

Mr. GALLINGER. Is it a very lengthy report?

Mr. WALSH. No; it merely embodies the proposed substitute for the bill.

Mr. GALLINGER. I should like very much to have the report read. It is a very important matter, which at the present time is engaging the attention of the people all over the country.

The PRESIDING OFFICER. Without objection, the Secretary will read the report.

The report (No. 131) submitted this day by Mr. WALSH is as follows:

Mr. WALSH, from the Committee on Privileges and Elections, submitted the following report, to accompany S. 2860:

The Committee on Privileges and Elections, which has had under consideration the bill (S. 2860) providing for a temporary method of conducting the nomination and election of United States Senators, makes the following report to the Senate:

Strike out all after the enacting clause and insert in lieu thereof the following:

"First. That at the regular election held in any State next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, at which election a Representative to Congress is regularly by law to be chosen, a United States Senator from said State shall be elected by the people thereof for the term commencing on the 4th day of March next thereafter.

"Second. That in any State wherein a United States Senator is hereafter to be elected, either at a general election or at any special election called by the executive authority thereof to fill a vacancy, until or unless otherwise specially provided by the legislature thereof, the nomination of candidates for such office shall be made, the election to fill the same conducted, and the result thereof determined, as near as may be, in accordance with the laws of such State regulating the nomination and election of candidates for Members at Large of the National House of Representatives: *Provided*, That in case no provision is made in any State for the case of the nomination or election of Representatives at Large, the procedure shall be in accordance with the laws of such State respecting the ordinary executive and administrative officers thereof who are elected by the vote of the people of the entire State: *And provided further*, That in any case the candidate for Senator receiving the highest number of votes shall be deemed elected."

Mr. STONE. Mr. President, I should like to have the attention of the Senator from Montana for a moment. During the reading of the bill my attention was diverted. I should like to ask the Senator whether he offers the bill which has just been read as a bill to be referred to a committee, or is it a report from a committee?

Mr. WALSH. It is a report from the Committee on Privileges and Elections proposing a substitute for the bill referred to that committee and which had been introduced by the Senator from Washington [Mr. POINDEXTER].

Mr. STONE. It is reported and goes to the calendar?

Mr. WALSH. It goes to the calendar. It is intended to have the bill printed, so that it may have the study of Senators for the purpose of later being called up for consideration.

Mr. STONE. Has the committee filed a report?

Mr. WALSH. Nothing except tendering a substitute.

Mr. O'GORMAN. Mr. President, I should like to ask the Senator from Montana if the report from the Committee on Privileges and Elections just read is a unanimous report of the committee?

Mr. WALSH. My recollection is, I will say to the Senator from New York, that one member of the committee dissented from the report and the other members signified a desire to reserve the right to propose amendments to the draft of the bill which has been prepared by the committee.

The PRESIDING OFFICER. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMPSON:

A bill (S. 3464) granting a pension to Sarah Wilson; and

A bill (S. 3465) granting an increase of pension to E. H. Mileison (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3466) providing for free homesteads on the public lands for actual and bona fide settlers, and reserving the public lands for that purpose; to the Committee on Public Lands.

A bill (S. 3467) granting a pension to John J. Boesl; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 3468) granting an increase of pension to Susan E. Bain; to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 3469) for the relief of William E. Halley; to the Committee on Claims.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. CHAMBERLAIN submitted an amendment proposing an appropriation of \$10,000 for the importation of Corriedale sheep from New Zealand for breeding purposes, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

SENATOR FROM ALABAMA.

Mr. BANKHEAD. Mr. President, I present the certificate of appointment of Hon. FRANK P. GLASS, of Alabama, to be a Senator from that State to fill the unexpired term of the late Senator JOSEPH F. JOHNSTON, and ask that it be read and referred to the Committee on Privileges and Elections.

The PRESIDING OFFICER. The credentials presented by the Senator from Alabama will be read.

The credentials were read and referred to the Committee on Privileges and Elections, as follows:

To the Senate of the United States of America:

A vacancy having happened in the Senate of the United States of America by reason of the death of Hon. JOSEPH F. JOHNSTON, one of the Senators from the State of Alabama in the Senate of the United States of America, and I, Emmet O'Neal, as governor of the State of Alabama, having heretofore appointed one HENRY D. CLAYTON a Senator of the United States of America from the State of Alabama to fill the vacancy caused by the death of said JOSEPH F. JOHNSTON, but said HENRY D. CLAYTON having failed to qualify as such Senator and having notified me of his purpose not to do so, and having returned the commission heretofore issued to him and having by unanimous consent withdrawn his credentials from your consideration, I have this day appointed and do by these presents appoint FRANK P. GLASS a Senator of the United States of America from the State of Alabama under and by virtue of the authority vested in me by section 3 of Article I of the Constitution of the United States of America and the provisions of the seventeenth amendment to the Constitution of the United States of America and the constitution and laws of the State of Alabama.

In witness whereof I, Emmet O'Neal, as governor of the State of Alabama, have hereunto set my hand and caused the great seal of the State to be hereunto affixed at the capitol at Montgomery this 17th day of November, in the year of our Lord 1913.

[SEAL.]

By the governor:

EMMET O'NEAL, Governor.

CYRUS B. BROWN, Secretary of State.

Mr. BANKHEAD. In this connection, Mr. President, I ask unanimous consent to have printed as a public document a short statement of the governor of Alabama in relation to his constitutional power to make the appointment, and also a brief and opinion prepared by Hon. R. P. Evins, legal adviser to the governor, and a brief prepared on this question by the Senator from Kentucky [Mr. BRADLEY].

Mr. SMOOT. I should like to ask the Senator if a part of that has not been already printed as a public document?

Mr. BANKHEAD. It has not. The brief prepared by the Senator from Kentucky was printed as an executive document, for the use of the committee. It has had no distribution. I simply desire to have that brief printed as a public document, in order that the Senate may have the benefit of it.

The other brief, prepared by the governor's legal adviser, is entirely different from the one to which the Senator refers as having been heretofore printed, and is directed to a different phase of the question.

Mr. SMOOT. What I want to know is whether the brief which the Senator asks now to have printed as a public document is the same brief that he asked to have printed as a public document in the case of Mr. CLAYTON?

Mr. BANKHEAD. No; it is entirely different.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed as a public document.

Mr. WALSH. Mr. President, I was called from the Chamber for a moment. May I ask what is the request of the Senator from Alabama?

Mr. BANKHEAD. I simply asked unanimous consent for the publication of this brief as a public document. I stated that the brief prepared by the Senator from Kentucky [Mr. BRADLEY] had been printed, but it was printed as an executive document, for the use of the committee. It has had no distribution.

Mr. WALSH. The request is for the publication of a brief prepared by the Senator from Kentucky?

Mr. BANKHEAD. Yes.

Mr. WALSH. Why not print them all?

Mr. BANKHEAD. They have all been printed except this one.

Mr. WALSH. In exactly the same way?

Mr. BANKHEAD. Oh, no; not at all.

Mr. BACON. Mr. President, if I recollect rightly, the views submitted by the Senator from Montana [Mr. WALSH] were not printed as a document. As I understand the suggestion of the Senator from Montana, which I think is a very proper one, it is that if some members of the committee have their views printed as a public document all of the views presented by members of the committee should be published.

Mr. BANKHEAD. Certainly.

Mr. BACON. I myself have read the views submitted by the Senator from Montana, and I understand that to be the suggestion. I do not think the Senator from Alabama intended otherwise.

Mr. BANKHEAD. I should be delighted to have the views of the Senator from Montana printed as a public document.

Mr. BACON. Then I will ask, for the Senator from Montana, as he does not make a formal request, that the views of the Senator from Montana be also printed, not as a separate document, but as a part of the same document.

Mr. BANKHEAD. I shall be delighted to have the three documents printed together. I ask that the documents I have sent to the desk and the views of the Senator from Montana be printed as a public document. (S. Doc. No. 241.)

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON PUBLIC DOCUMENTS.

Mr. CUMMINS. Mr. President, on Monday last I gave notice of a proposed amendment to the standing rules of the Senate. I desire to submit a resolution, and ask that it be read and referred to the Committee on Rules. A copy of it was attached to the notice filed on Monday last.

The resolution (S. Res. 218) was read and referred to the Committee on Rules, as follows:

Resolved, That there shall be a standing committee of the Senate known as the Committee on Public Documents. It shall be composed of three Senators, elected in the same manner as the members of other standing committees.

No book, pamphlet, article, paper, address, or other matter requiring the consent or order of the Senate in order to be printed as a public document shall be so printed or an order therefor entered until the request or motion for such order shall have been referred to the above committee and its report thereon received: *Provided*, That nothing herein contained shall be construed to interfere with the right of the Senate to discharge the committee from the further consideration of any such request or motion.

In making its report the committee shall describe the general character of the matter sought to be printed as a public document and shall specifically state whether it is of such value to the country that it ought to be printed and circulated at the expense of the Government.

PROPOSED FINAL ADJOURNMENT.

Mr. MYERS. I submit a concurrent resolution and ask that it be read, and I also ask for its immediate consideration.

The concurrent resolution (S. Con. Res. 10) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 24th day of November, 1913, at 2 o'clock p. m.

Mr. MYERS. I ask for the immediate consideration of the concurrent resolution.

The PRESIDING OFFICER. The Senator from Montana asks unanimous consent for the present consideration of the concurrent resolution submitted by him. Is there objection?

Mr. GRONNA. Mr. President, may I hear what the resolution is? My attention was distracted.

The PRESIDING OFFICER. The Secretary will again read the concurrent resolution.

Mr. STONE. Just a moment, Mr. President. This is a concurrent resolution proposing an adjournment sine die on the 24th of November, and present consideration is asked?

The PRESIDING OFFICER. Present consideration is asked.

Mr. STONE. I object.

Mr. MYERS. I claim that the concurrent resolution is one of the highest privilege, and that one objection is not sufficient to defeat its consideration.

The PRESIDING OFFICER. Objection is made to the present consideration of the concurrent resolution. That ends it, unless, on a vote, the Senate orders to the contrary.

Mr. MYERS. I make the point of order that one objection is not sufficient to defeat the consideration of the concurrent resolution.

The PRESIDING OFFICER. Will the Senator again state his point of order?

Mr. MYERS. It is that one objection is not sufficient to defeat the consideration of the concurrent resolution at the present time; that it is a matter of the highest privilege, and that, upon being offered, on the demand of any Senator, it must be considered at that time.

Mr. GALLINGER. Mr. President, it seems to me that inasmuch as the Senator has asked unanimous consent—

Mr. MYERS. I beg the Senator's pardon; I did not ask unanimous consent. I asked for the immediate consideration of the resolution. That was my request.

Mr. GALLINGER. Will the Senator point to any rule that relieves the matter from the objection that was made by the Senator from Missouri [Mr. STONE]?

Mr. MYERS. Instead of engaging in a parliamentary contest with the veteran Senator from New Hampshire, I move the immediate consideration of the resolution.

Mr. GALLINGER. That is better.

The PRESIDING OFFICER. The Senator from Missouri [Mr. STONE] objects to the present consideration of the concurrent resolution.

Mr. STONE. I do; and the Senator from Montana moves, notwithstanding the objection, to proceed with the consideration of the concurrent resolution.

Mr. MYERS. Yes; I make a motion for immediate consideration.

Mr. SMOOT. Under the rule the Senator from Montana can not even do that until the hour of 2 o'clock arrives. I simply wish to call attention to the rule; that is all. Of course, whatever the Chair decides in the matter will be satisfactory; but the rule says that the Senator can not make that motion until 2 o'clock.

Mr. MYERS. What is the ruling of the Chair on that point, Mr. President?

The PRESIDING OFFICER. The ruling of the Chair is that the contention made by the Senator from Utah is correct.

Mr. MYERS. Then I give notice that at 2 o'clock of this day I shall move for immediate consideration of the concurrent resolution.

Mr. BORAH. I should like to know where the Senator from Utah gets his authority for the proposition just stated by him to the Chair, that a motion of this kind can not be made at this time. Is it in the rules of the Senate?

Mr. SMOOT. The rules really state that a resolution has to go over for one day upon objection. If a Senator objects, a resolution has to go over until the next day.

Mr. BORAH. That is an entirely different proposition.

Mr. SMOOT. Yes. The statement I made was that the motion could not be made until 2 o'clock. I had in my mind then the idea that if it was presented after 2 o'clock, after the morning business was closed, perhaps it could be voted upon. I think I am in error even in that statement, however. I think at any time of day, if one objection is made, a resolution must go over until the following day.

Mr. BORAH. The Senator from Utah is correct in the proposition he has just stated, that if there is an objection a resolution must go over for one day; but in this case there was no objection. There being no objection, the Senator from Montana has a right to move for consideration of the concurrent resolution.

Mr. STONE. But I objected to it, Mr. President. I objected to the present consideration of the concurrent resolution; and I submit to the Chair that the effect of the objection is to carry over the resolution for a day.

Mr. GALLINGER. Mr. President, the rule is explicit. I read paragraph 5 of Rule XIV:

All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

It seems to me that under that rule the resolution must of necessity go over under objection.

Mr. MYERS and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana has the floor. Does he yield to the Senator from Idaho?

Mr. MYERS. I do.

Mr. BORAH. I do not take issue at all with the rule nor with the statement made by the Senator from New Hampshire; but that was not the condition of affairs. The Senator from Montana made a motion, and at that time there was no objection. He had a perfect right to make the motion and have the concurrent resolution considered, unless there was an objection.

Mr. SMOOT. Before ever the Senator from Montana made the motion, however, the Senator from Missouri [Mr. STONE] objected to the consideration of the concurrent resolution.

The PRESIDING OFFICER. And the Chair so stated to the Senate.

Mr. BORAH. What has that to do with the point that the resolution can not be considered until after 2 o'clock?

Mr. BACON. I call the attention of the Senator from Idaho to paragraph 3 of Rule VII, in which he will find laid down what the Senator from Utah said.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Idaho that I had in mind paragraph 3 of Rule VII, which reads as follows:

Until the morning business shall have been concluded and so announced from the chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar shall be entertained by the Presiding Officer unless by unanimous consent; and if such consent be given the motion shall not be subject to amendment and shall be decided without debate upon the merits of the subject proposed to be taken up.

Mr. GALLINGER. This concurrent resolution is not on the calendar.

Mr. SMOOT. That was the rule I had in mind. I say to the Senator now, as I said before, that the objection of the Senator from Missouri [Mr. STONE] carried the matter over, and there was no occasion for invoking this rule.

Mr. BORAH. That rule has no application, then?

Mr. SMOOT. None whatever, the objection having been made.

Mr. BORAH. The objection of the Senator from Missouri could carry it over; but that has nothing to do with the question of moving it before 2 o'clock.

Mr. GALLINGER. No.

Mr. MYERS. Mr. President, does the Chair rule that a motion for immediate consideration at this time is out of order?

The PRESIDING OFFICER. The Chair has so ruled. On the objection of the Senator from Missouri [Mr. STONE], the Chair ruled that the concurrent resolution could not be considered at this time.

Mr. MYERS. Then I give notice that at 2 o'clock of this day I shall move for the immediate consideration of the concurrent resolution. Meantime I wish to say a few words to Senators, for them to think about between now and 2 o'clock.

I understand that it has been the custom to adjourn about three weeks for the Christmas holidays. I think a better plan would be to adjourn two weeks for the Christmas holidays and one week now and divide up this joyous and hilarious celebration. I fear that three weeks' celebration at the Christmas holidays might incapacitate Senators for active work immediately after resuming business in the new year. I fear there might be an excess of dissipation.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. MYERS. With great pleasure.

Mr. THOMAS. In view of the lack of progress this body has made in the last two months, I should like to inquire what kind of dissipation could possibly render it more seemingly incapacitated to do business than during that period?

Mr. MYERS. That is a very startling question, Mr. President, and I am not prepared to answer it at this time, but I think that three weeks of celebration and jollification at the Christmas period would be too much for the body, and it might not be able to do anything at all for a long time, but we should take one week now and two weeks then.

More than that, Thanksgiving falls during the next week, and I do not believe in lightly passing over that period with just one day's adjournment and eating a big turkey dinner. I believe we ought to adjourn for at least one week out of honor to Thanksgiving Day. I ask Senators to consider the propriety of dividing the period of rest into two periods—one week now and two weeks later on. I shall have nothing further to say about the matter until I make my motion at 2 o'clock.

Mr. THOMAS. Instead of dividing up the period of prospective rest, it would be better to put an end to our present period of rest and get to work.

The PRESIDING OFFICER. If there are no further resolutions, the morning business is closed, and the calendar under Rule VIII is in order.

BANKING AND CURRENCY.

Mr. OWEN. I move that House bill 7837 be laid before the Senate.

The PRESIDING OFFICER. The Senator from Oklahoma asks that House bill 7837 be laid before the Senate.

Mr. OWEN. I wish to move that the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. The Senator from Oklahoma moves that the Senate proceed to the consideration of the bill.

Mr. CUMMINS. We did not hear the motion in this part of the Chamber.

The PRESIDING OFFICER. The Senator from Oklahoma has moved that House bill 7837 be now proceeded with.

Mr. GALLINGER. Let the title at least be read.

The PRESIDING OFFICER. The Secretary will read the bill by title.

The SECRETARY. A bill (H. R. 7837) to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

Mr. SMOOT. I suppose the only object the Senator from Oklahoma has in bringing up the bill at this time is to make it the unfinished business. The bill has not been printed, and, of course, we could not enter upon the consideration of it to-day.

Mr. OWEN. I do not anticipate to do anything with the bill at all, except to have it laid before the Senate for consideration so that it may occupy the status of unfinished business.

Mr. GALLINGER. Mr. President, I have no objection to hastening the consideration of this bill, but I am seriously in doubt whether when we have made two unanimous-consent agreements we can displace them by a motion.

Mr. OWEN. I had not the slightest idea of displacing the unanimous-consent agreements or to ask that this bill should be made the unfinished business in disregard of the unanimous-consent agreements now on the calendar with regard to the Hetch Hetchy Valley bill and the Alaska railroad bill, but otherwise I should be glad to have it made the unfinished business.

Mr. GALLINGER. With that understanding I do not object, but I think we ought to be very careful and preserve our unanimous-consent agreements.

Mr. OWEN. I did not make the suggestion with the view of any such contingency. I merely wanted to put the bill before the Senate.

Mr. CRAWFORD. Mr. President, I should like to ask the Senator from Oklahoma a question. Of course as a Member of this body and also as a member of the committee that spent a number of weeks considering the bill I have a very active interest in it. I realize the importance of having as early action taken upon it as can be had consistent with the full consideration that a bill of its importance demands. I am practically compelled to leave the city and to be absent for a few days, and I should like to know, if the Senator can state at this time, whether it is his intention to press immediately before the end of the special session a consideration that may involve final action upon amendments.

Mr. OWEN. I do not anticipate that the Senate can possibly pass upon this bill at the extra session. I simply want to have the bill made the unfinished business, and I want to give notice that on Monday I would like to address the Senate upon the bill. My object is to get the measure before the Senate and also to give an opportunity to other Senators who may wish to deliver set speeches on the bill to be heard.

Mr. CRAWFORD. That is entirely satisfactory.

Mr. STONE. Does the Senator think it necessary to make it the unfinished business?

Mr. OWEN. I thought it was better to make it the unfinished business, because it can be easily laid aside when there is no one to speak upon it.

Mr. BORAH. Mr. President, I wish to ask by what process the Senator can make it the unfinished business during the morning hour?

Mr. OWEN. Only by unanimous consent, which I was proceeding under.

Mr. BORAH. It can not be made the unfinished business by unanimous consent, as I understand it, until morning business is closed.

Mr. OWEN. I did not move that it be made the unfinished business. I thought that unanimous consent would be granted to make it the unfinished business; that no one would object to it.

Mr. BORAH. I have no objection to taking the bill up, but the proposition remains that we can not make it the unfinished business unless we take it up and consider it after morning business is closed.

Mr. OWEN. The morning business is closed, and I made the motion that the Senate should proceed to the consideration of this bill.

The PRESIDING OFFICER. The Chair so understood the Senator. The Senator from Oklahoma moves that the Senate do now proceed to the consideration of the bill.

Mr. NELSON. The bill not having been reported by a majority of the committee, it is not entitled to be placed upon the calendar until a request has been made for that to be done. Has the Senator from Oklahoma asked that the House bill be placed on the calendar?

Mr. OWEN. I reported the House bill without recommendation from the Committee on Banking and Currency in pursuance of a resolution of the Committee on Banking and Currency that that should be done, but it simply puts the House bill on the calendar without any recommendation on the part of the committee, the committee itself having divided.

Mr. NELSON. I would suggest to the Senator from Oklahoma—and I am not saying this for the purpose of embarrassing him—that the first request, in view of the double report, ought to be that the bill be placed on the calendar as a bill reported by the committee.

Mr. OWEN. It is on the calendar now.

Mr. NELSON. By what authority?

Mr. OWEN. By the result of a report of the Committee on Banking and Currency, reporting it back to the Senate without recommendation.

Mr. NELSON. It is not on the calendar. The Committee on Banking and Currency did not unite in a report. Each half of the committee made a separate report.

Mr. OWEN. That is already quite clearly understood. I think that the Senator from Minnesota did not observe that the report was simply a report of the bill without recommendation, and then as an appendix to that report there was ordered printed by the Senate the views of the two factions of the committee.

Mr. NELSON. If the Senator will allow me, I do not think that would entitle the bill to be placed on the calendar. I think if the Senator has not already done so he ought to ask that the bill be placed on the calendar, like a bill that stands reported by the majority of a committee.

Mr. OWEN. I do not understand, under parliamentary practice, that it is necessary to ask that it go on the calendar, but it goes automatically to the calendar when reported by a committee in that way.

The PRESIDING OFFICER. The bill is on the calendar. The Senator from Oklahoma now moves that the Senate proceed to the consideration of House bill 7837. The question is on the motion of the Senator from Oklahoma.

The motion was agreed to.

Mr. MYERS. The morning business having been closed, I understand that that has the same effect on the business of the Senate as if the hour of 2 o'clock had arrived, and I now make my motion for the immediate consideration of the concurrent resolution which I sent to the desk a moment ago.

The PRESIDING OFFICER. The Chair will state to the Senator from Montana that under the objection of the Senator from Missouri the resolution has gone over until to-morrow.

Mr. STONE. I made the point of order that under the rule the resolution must go over for a day.

The PRESIDING OFFICER. The Chair has so held.

Mr. MYERS. I appeal from the ruling of the Chair, Mr. President.

The PRESIDING OFFICER. The Senator from Montana appeals from the ruling of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. JAMES. I move to lay the appeal on the table.

The PRESIDING OFFICER. The Senator from Kentucky moves to lay on the table the appeal taken from the decision of the Chair by the Senator from Montana.

The motion was agreed to.

Mr. OWEN. I now ask that House bill 7837 be temporarily laid aside.

The PRESIDING OFFICER. It will be so ordered. The calendar under Rule VIII is in order.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

Mr. LANE. I ask the Senator from Georgia to withhold the motion for a few minutes.

Mr. BACON. I will withhold the motion temporarily.

PERSONAL EXPLANATION—WRECK OF THE "GENERAL SLOCUM."

Mr. LANE. Mr. President, during the discussion of the seamen's bill there was a statement made by me in regard to the safety appliances carried on board the *General Slocum* which has been questioned. At that time, while discussing the fraudu-

lent and inefficient type of life-saving appliances which are carried aboard many vessels and which are used to and do delude passengers into placing dependence upon them as a means of self-preservation, I said that the *Slocum* lost hundreds of her passengers for the reason that her lifeboats were ill equipped and ill manned; that they went over the sides with plugs out of them, and they went down like lead and drowned every passenger that was aboard of them; that they were a fraud and a snare and caused the loss of the lives of hundreds of people who would never have been lost if those lifeboats had not been aboard the *Slocum*.

At the time of the wreck of the *Slocum*, which was in 1904, I was in Alaska, on the shores of the Bering Sea, and the accounts which filtered in there, of course, were not so complete and perhaps not so accurate as they were nearer the scene of the wreck. At any rate this statement of mine has been disputed. There is an article in the *Marine Journal*, published in New York November 15, to the effect that the statement made by me is an error, and that it is my duty to correct it. It is stated also that I have perhaps been misled by representatives of the seamen's union, in regard to which I wish to say that no member of the seamen's union, nor any representative of that body, nor their friends, nor anyone else gave me the information.

I find that I was in error and that I was not quite accurate in my statement regarding the condition of the life-saving appliances to which I referred at that time. The actual condition was worse than I said it was in many respects. I have been looking over the accounts of the burning of the *General Slocum* which were published at that time. The accident occurred June 15, 1904, and the New York papers of the following days—the *World*, the *Times*, and others—printed pages concerning it during a week or more following the calamity. I have looked over these papers to ascertain what the facts were, and I find no mention is made of the position of the plugs in the only lifeboat examined. It seems that it was not a case of the plug being out of that boat, but that the seams in the bottom of the boat were open, which is worse. It is safe to assume that if her bottom was out, for all practical purposes the plug was out also, but nowhere do I find that fact mentioned.

The boats were not launched for the excellent reason that they were wired down to ring bolts with steel cables and could not be launched. The deck hands tried to launch them and failed. Dying mothers and children no doubt ripped their hands to pieces before they perished trying to loosen these boats from their moorings, as they did also in trying to secure the so-called life preservers, which were stored behind slats, which held them in place—secure from the passengers—by the aid of nails and numerous coats of dry paint.

In regard to the condition of their life-saving devices, it is stated that an examination of the life preservers aboard the *Slocum* proved that some of them at least had in the middle of each of their sections—which were composed of ground, decayed, and "punk" cork—a piece of bar iron, put there to make weight. Think of that, if you please. Bar iron deliberately placed in life-preservers composed of decayed ground cork.

These so-called life preservers, composed of decayed ground cork and iron bars, were inclosed in canvas covers so very fragile from decay that they as well as the straps with which to tie them around the bodies of the passengers went to pieces in the hands of the people who tried to use them. They were not life preservers; they were sinkers. And I pronounced such life-saving equipment as a fraud and a snare and the cause of loss of life. And I was right, although the actual condition was worse than I had supposed it to be. If there had been no bogus lifeboats with seams open in the bottom, wired down with steel cable, and no iron-filled life preservers on board of the *Slocum*, to exhibit to people as a means for self-preservation in case of an accident, very few people would have gone upon an excursion on such a craft and many lives would thus have been spared.

Thirteen hundred and fifty-eight passengers intrusted themselves to the *Slocum* that day, most of them children. Three or four hundred of these children under the age which required their parents to purchase tickets for them aboard of a boat with only six lifeboats, some with open seams in their bottoms and all wired down with steel cable! I will concede that it was better to have them wired down than loose. It was contended by me that such or similar devices were the cause of the loss of life.

In regard to the statement which I make concerning the condition of these life-preservers with an iron bar in each section, there was a report of the United States Commission of Investigation upon the Disaster to the Steamer *General Slocum*, sub-

mitted October 8, 1904, and printed at the Government Printing Office in that year.

At the bottom of page 3, in a letter addressed by President Roosevelt to Hon. V. H. Metcalf, Secretary of Commerce and Labor, transmitting that report, he says that the Department of Justice has secured the indictment of the manager and three employees of the Nonpareil Cork Works, of Camden, N. J., for putting upon the market compressed-cork blocks for use in making life preservers, each of which blocks contained in its center a piece of bar iron weighing several ounces. I am assuming that President Roosevelt referred to the result of the investigation which was made of the condition of the life preservers on the *General Slocum*, yet I can not prove it; I did not examine any of those life preservers. I only know and repeat that which I find in the record as it came from the lips and pens of people who were witnesses to it or examined into the matter.

The life of a ground-cork life preserver, with or without a piece of bar iron in each of its sections, is stated in one of the newspapers published at that time to be six years. There were 2,500 life preservers in all upon the boat, 2,100 of which were said to be not less than 13 years old. They had been placed aboard the *Slocum* in 1891. There were others placed aboard that steamer which had formerly been used aboard the old steamer, *Edwin Forrest*, a boat which was in commission during the Civil War in 1864, 40 years before the accident. In grappling for and bringing up bodies from the bottom of the river after the accident, some were brought up from the bottom of the harbor with those iron-balled life preservers tied about them.

It seems, too, that the crew was an inexperienced one, picked up from along the water front. There had not been a fire drill aboard the boat during that year. The first mate was an ironworker by trade, and was serving as mate of the vessel without a license from the Government to act in that capacity.

Near the place where the fire started one standpipe was found with its valves rusted shut so that they could not be opened without the use of a tapping hammer and a wrench. There was also a blank washer in front of the outlet, screwed in place upon another standpipe, so that no water could possibly flow out of it after the hose had been coupled onto it. This fact was proven during the fire by actual experience.

Nine hundred and fifty-five people, mostly children, died by being either burned or drowned on that boat that day.

It was rather a queer accident in many ways. There was a pretty stiff breeze blowing, and when notice of the fire was given the captain ran the boat 3 miles against the head wind, past docks, and at one place passing an open beach with low banks and shallow water. The fire was in the forward end of the boat. A boat going 18 miles an hour against a head wind creates a forced draft. If you are standing in the bow of a boat going at that rate under such conditions you have to hold your hat on with your hands.

Poor and inefficient hose, inefficient inspection, fraudulent life-saving apparatus, and bad judgment on the part of the captain and pilots in the handling of the boats were what caused the unnecessary loss of a great many lives that day, perhaps the majority of them. It was for the purpose of calling attention to the danger which attends green crews and bogus life-saving apparatus that I made my remarks. I did not intend to do injustice to anyone and, as a matter of fact, I do not think I did, yet I was inaccurate in my statement as to the details. They were much worse than I stated them to be.

Just a short time ago we all read of the burning of the *Volturno*. During the discussion of that disaster in the newspapers the captain of that steamer was quoted as saying that in lowering one of the lifeboats, full of people, it was lowered at a time when the *Volturno* "sat down" upon it and caused the loss of life of every person in it. It was a lifeboat loaded presumably with women and children and such like helpless folk, who by right go first into life-saving devices.

By way of parenthesis I want to say right here that when a life-saving device such as a lifeboat is handled by those who are intrusted with the duty in a manner which causes the death of every person who trusts his or her life to it, that it is making a score of what they call in target practice "100 out of a possible 100." You can not beat it. It is more fatal than the bubonic plague.

There was stated to be great difficulty at the time of the burning of the *Volturno* in launching lifeboats from that steamer, and also from the fleet which went to her assistance. About that time I saw an account of the storm which prevailed and also, as perhaps you all did, a cut in the newspapers which was said to have been reproduced from a photograph of the *Volturno*, taken at the time when she was burning, which showed a mass of smoke rising from her forward. If you remember, you noticed that that smoke was going straight up

into the air above her decks. If you have ever watched the behavior of smoke in a gale such as was said to have been prevailing at that time, you have noticed no doubt that it does not go up into the air—at least the kind of smoke with which I am familiar does not act that way if a gale of wind is blowing—but, on the contrary, it is cut off clean at the mouth of its exit and is carried almost horizontally down the wind. You can not shoot smoke up into the air from a cannon in a gale of wind.

Since seeing that picture of the action of the smoke which arose from the *Volturno* and the condition of the sea about her, I am more than ever convinced that the reason the *Volturno* "sat down" upon the lifeboat full of passengers and drowned them and why no lifeboats were lowered from her or from other craft for so many hours was because they did not have enough sailors aboard with the experience necessary to do that kind of work properly. The fact that stokers, cooks, stewards, and others than sailors manned the lifeboats which made the rescue points to the same conclusion. A crew of experienced sailors could easily and speedily have launched a lifeboat in a gale which did not have power enough in its lungs to drive the smoke flat over the rails. They could also, in perfect security, have played "hopscootch" in a good lifeboat in a sea such as was running, as shown in the photograph.

Not one of the attendant vessels which were standing by the *Volturno* when she was burning was able to pass a line aboard her. Judging from the condition of the sea, as shown in the cut reproduced from the photograph published at that time, it should not have been a hard task to do so.

The good skipper of the *Dunbury*, who in heavy weather, in the open sea, three times passed a line aboard a helpless derelict with over a hundred passengers aboard, could have "lathered and shaved" the *Volturno* had he been at the tiller of any one of the craft which were standing by her.

I am quite willing, however, to correct my error about the plugs being out of the lifeboats of the *Slocum* and that the passengers lost their lives for that reason, and to substitute for it the facts which prove the contention I made at the time—that the life-saving equipment which is usually provided is a delusion and a snare. I would far rather be in a lifeboat with the plug out than in one with its seams open. I might be able to stop the one leak, while I could not the other. To lash that kind of a lifeboat down with a steel cable is the proper way to safeguard the lives of the passengers. To exhibit it, however, to trusting and confiding women and children as a life-saving device is, in my opinion, a crime.

Some hundreds of little children went down to death that day—happy, expectant little folks, out for a day of enjoyment, were caught in a trap aboard a boat covered with gingerbread woodwork and tawdry decorations, placed there to attract their patronage, and were roasted to death or drowned through the cupidity and carelessness of those to whom they intrusted their precious lives. One poor mother, looking over the side of the boat, recognized a struggling and drowning child as her own, and with an agonized cry of "Mein Frieda," that rose above the tumult, sprang overboard, to drown in trying to save her.

When the picture of the horrors of that scene rises before me, and I see hundreds of children and women dying an agonizing death, and at the same time I see them feverishly working in vain to obtain life preservers, which proved afterwards to be filled with ground cork and bar iron and to be covered with rotten canvas and nailed behind slats so securely that they could not be wrenched loose by the hands of the women nor reached by the children; when I dwell on the meaning of the rusted valves of the standpipes and the complement of untested fire hose, which was only guaranteed to stand a pressure of 40 pounds when it was new, whereas from one to two hundred pounds pressure was necessary; when I realize that the lifeboats provided for the safety of those people had their seams open between the bottom plates and were held down with steel cable all too securely for bleeding fingers to tear them loose from their fastenings; and when I see that poor mother and "Frieda," and other mothers and little children, burning or drowning like rats in a trap, I repeat that I consider the exhibition of such life-saving devices to the eyes of trusting folks as a delusion and a snare, and the cause of the death of many who would not have lost their lives if they had known the truth concerning them.

It may be, and I am willing to concede that it is, true that, trusting to my memory, I accused those who were guilty of murdering these children of having done so in a less cowardly and cruel manner than the cold-blooded one which they adopted. If I have failed in doing them justice, and they or anyone else feel aggrieved over my omission in that respect, I cheerfully offer these remarks as a correction, and I apologize for the lack of information respecting the more horrible condition

which prevailed on the *Slocum* in regard to the so-called life-saving appliances than I conceived of when I made the remarks on the seamen's bill.

In what I have stated here at this time I am giving voice to the statements which I have taken from the press reports which were published following that event and from the report of the commission which investigated the affair at the request of President Roosevelt. One of the commissioners who made this report—this the official and only report—was, I am informed, the chief inspector who was responsible for the condition of the appliances aboard the *Slocum* the day she was burned.

EXECUTIVE SESSION.

Mr. BACON. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, November 24, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 22, 1913.

COLLECTOR OF CUSTOMS.

John F. Pugh, of Alaska, to be collector of customs for the District of Alaska in place of John R. Willis, whose term of office expired by limitation January 31, 1913.

COLLECTOR OF INTERNAL REVENUE.

David J. Williams, of Washington, to be collector of internal revenue for the district of Washington in place of Millard T. Hartson, superseded.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Francis J. Kernan, Infantry, unassigned, to be colonel from November 20, 1913, vice Col. Charles McClure, Thirtieth Infantry, who died November 19, 1913.

Maj. William M. Wright, Infantry, unassigned, to be lieutenant colonel from November 20, 1913, vice Lieut. Col. Francis J. Kernan, unassigned, promoted.

Capt. Edward A. Shuttleworth, Second Infantry, to be major from November 21, 1913, vice Maj. James H. McRae, Fifth Infantry, detailed as adjutant general on that date.

First Lieut. George C. Lewis, Twenty-sixth Infantry, to be captain from November 21, 1913, vice Capt. Edward A. Shuttleworth, Second Infantry, promoted.

Second Lieut. David G. C. Garrison, Twenty-sixth Infantry, to be first lieutenant from November 21, 1913, vice First Lieut. George C. Lewis, Twenty-sixth Infantry, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 22, 1913.

COLLECTOR OF INTERNAL REVENUE.

Seth W. Jones to be collector of internal revenue for the district of New Hampshire.

PROMOTIONS AND APPOINTMENT IN NAVY.

Lieut. Commander Alfred W. Hinds to be a commander.

Lieut. Edwin H. Dodd to be a lieutenant commander.

Lieut. Manley H. Simons to be a lieutenant commander.

Lieut. (Junior Grade) Alfred W. Brown, jr., to be a lieutenant.

Lieut. (Junior Grade) Frank Russell to be a lieutenant.

Lieut. (Junior Grade) Garret L. Schuyler to be a lieutenant.

Ensign Edward H. Connor to be a lieutenant (junior grade).

Pay Inspector Thomas S. Jewett to be a pay director.

Asst. Paymaster Frank H. Atkinson to be a passed assistant paymaster.

Gray C. Holladay to be an assistant surgeon in the Medical Reserve Corps.

POSTMASTERS.

ALABAMA.

S. L. Dorroh, Reform.

J. T. Farmer, Samson.

FLORIDA.

Harry Gray, Palatka.

IDAHO.

Claude V. Biggs, Buhl.

F. E. Cornwall, Moscow.

ILLINOIS.

Frank Allen, Oglesby.

John R. Barclay, Rutland.

M. M. Brown, Bunker Hill.

Edward M. Dieter, Naperville.

Joseph S. Grimes, National Stock Yards.

Edward Johnston, Atkinson.

John Morahn, Sheridan.

P. H. Mulligan, Tolono.

M. S. Yoho, Roseville.

MASSACHUSETTS.

William J. Campbell, East Taunton.

NEW YORK.

Elizabeth Hollenbeck, Harriman.

John F. Ryan, Batavia.

James C. Spalding, Great Neck.

E. J. Sweeney, East Islip.

WASHINGTON.

Dana Child, Spokane.

WYOMING.

Louis Schalk, Rawlins.

HOUSE OF REPRESENTATIVES.

SATURDAY, November 22, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal Spirit, Father of all souls, our hearts go out in praise and gratitude to Thee for the preservation and prolongation of our lives; for Thy loving kindness and tender mercies which pour themselves out in a thousand blessings day by day, without which we should perish from the face of the earth and sink into nothingness forever. May we show our appreciation of Thy care and protection by clean living and an earnest desire to serve Thee by a faithful service in the things which make for the betterment of mankind under the spiritual leadership of Thy son Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS.

Mr. THOMAS. Mr. Speaker, a day or two ago I introduced a resolution to adjourn to-day, and I wish to amend that resolution by inserting Monday, the 24th, instead of Saturday, the 22d. I think that the resolution is privileged, and I wish to call it up now and dispose of it.

The SPEAKER. The resolution is privileged.

Mr. THOMAS. Then I wish to call it up.

Mr. MANN. Mr. Speaker, I desire to call the attention of the Speaker to the fact that yesterday by unanimous consent an order was made providing for three speeches following the approval of the Journal, which, I take it, would come up ahead of any other matter.

Mr. THOMAS. Mr. Speaker, I think this resolution is privileged and comes before those speeches.

The SPEAKER. The resolution is privileged, there is not any question about that, but the House yesterday by solemn agreement set aside 95 minutes. I think it is, for speech making to-day, a special order, and a special order takes precedence of a privileged question. The Chair would not rule that it takes precedence of a question of personal privilege. There are two distinctions. After these gentlemen have made their speeches the Chair will entertain the motion of the gentleman, and the first one recognized for debate is the gentleman from Washington [Mr. JOHNSON], who is recognized for 40 minutes.

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Does the Chair hold that these speeches which these gentlemen are entitled to make take precedence over this privileged resolution?

The SPEAKER. The Chair does hold that. The House has a right to do as it pleases, and the House set aside this time for speech making. The Chair wishes to differentiate again between a privileged question and a question of privilege. The Chair says that a privileged question is shut out temporarily by the special order which was made yesterday, but if it were a question of personal privilege the Chair does not know how he would rule. He would have to investigate.

Mr. THOMAS. I do not either.

The SPEAKER. The Chair thinks he would rule that a question of personal privilege came in ahead; but he is not ruling.